

## REMARKS

Claims 1, 3-9, 11, 12, 14, 15, 17-23, 25, 26 and 28-29 are pending and under consideration. The following remarks are respectfully submitted.

### I. Allowed Claims

The arguments put forth by Applicants in the Amendment and Response filed September 4, 2008 have been fully considered and persuasive, however the claims remain rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of copending U.S. Patent Application No. 10/632028 (U.S. Patent Publication No. 2005/0027326) and claims 1-48 of copending U.S. Patent Application No. 10/632026 (U.S. Patent Publication No. 2005/0027325). Since it is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patent, Applicants will wait to respond to the rejections until claims have issued.

### II. Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Should any issues remain outstanding, the Examiner is urged to telephone the undersigned to expedite prosecution. The Commissioner is authorized to charge any deficiencies and credit any overpayments to Deposit Account No. 13-2546.

Respectfully submitted,

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Date

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